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C O N F I D E N T I A L SECTION 01 OF 02 PANAMA 000608

SIPDIS

SENSITIVE

DEPARTMENT FOR WHA/CEN PIERCE, G/TIP RACHEL OWEN, G, INL,
DRL, PRM, IWI, WHA/PPC/PUCETTI FALLS

E.O. 12958: DECL: 03/16/2015

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SUBJECT: PANAMA TACKLES TRAFFICKING IN PERSONS (TIP)
CORRUPTION

REF: 04 STATE 273089

Classified By: DCM CMC MULLEN for reasons 1.4(b) and (d)

SUMMARY

11. (C) Armed with Panama's tough March 2004 anti-TIP law, Darien province Prosecutor Arnesia Janeth Torrero recently arrested indigenous National Police (PNP) officers for their alleged commercial sexual exploitation of indigenous minor girls in the remote Darien province. In January, Torrero finished investigating a similar case against PNP captains and majors. To protect Torrero's personal security, Attorney General Gomez transferred the case to Anti-Corruption Prosecutor Maribel Cornejo. To date, Prosecutor Cornejo has not ordered any further arrests. The GOP has worked to protect the victims and to educate officials in the Darien about the issue. Nonetheless, victims, their families, and Torrero have received threats of physical harm. High-ranking GOP officials, including President Torrijos, are aware of and concerned about the issue. End summary.

OFFICERS TARGETED DARIEN MINORS

12. (C) Prosecutor Torrero recently told EmbOffs that local police (PNP) officers in Darien province targeted indigenous minor girls, offered them alcohol, and threatened to imprison them if they did not have sex with them. Darien Social Worker Maria J. de Culiolis told PolOff March 9 that the officers sometimes offered the girls suggestive clothes, money, or school supplies. Social worker Culiolis also claimed that officers recruited minor girls to work in Panama City dance clubs.

LOW-RANKING OFFICERS DETAINED

13. (C) Prosecutor Torrero told PolOff she had immediately detained approximately five low-ranking PNP officers for commercial sexual exploitation. These cases are pending.

CASE TRANSFERRED TO CORRUPTION PROSECUTOR

14. (C) Fearful for her life and safety, on January 27 Prosecutor Torrero gave up responsibility for her case against higher-ranking PNP officers (six captains and four majors) and handed it over to the Attorney General's Office. In early February, Attorney General Gomez transferred the case to Anti-Corruption Prosecutor Cornejo, who is currently reviewing the file. To date, Cornejo has made no arrests and the case is now delayed. In spite of this security measure, Prosecutor Torrero reported receiving death threats. In late February, Attorney General Gomez removed Torrero temporarily from Darien province for her own safety.

LACK OF FUNDING DELAYED CASE

15. (C) In effect, lack of funding in the remote Darien province has caused the delay in the case against the higher-ranking officers. Because of funding constraints, the GOP's presence in the sparsely populated Darien province consists almost entirely of the PNP. The Attorney General's office does not have sufficient resources to send a Technical Judicial Police (PTJ) contingent large enough to protect the Darien prosecutor if the source of the threat is the PNP. Prior to temporarily withdrawing Torrero, the Attorney General's Office assigned one PTJ detective to the Darien to protect Torrero. Nonetheless, Torrero still received death threats.

PARENTAL COMPLICITY

16. (C) According to Culiolis and Torrero, parents are in some cases are complicit. For example, Culiolis described

one case in which a mother was involved with a PNP officer and brought her minor daughter along for another officer.

SHOTGUN-WEDDING LOOPHOLE

17. (C) According to Prosecutor Torrero and Social Worker Culiolis, to thwart prosecutions, officers have in some cases married the minor girl. According to Prosecutor Torrero, Panamanian law calls for the dismissal of sex crime cases against minors, including cases of commercial sexual exploitation, when the suspect marries the victim. Prosecutor Torrero believes PNP lawyers help arrange these sham marriages with the consent of the girls' families, apparently for the social security pension that marriage to a civil servant brings. According to Torrero and Culiolis, despite warnings from the Attorney General to municipal judges not to marry individuals under investigation, one detained officer solicited and received permission to leave jail to marry one of the minor girls.

HIGH-LEVEL CONCERN

18. (C) Darien province contacts told PolOff that the Attorney General, Youth Ministry (MINJUMFA) Minister Calderon, the First Lady, Minister of Government and Justice (MOGJ) Aleman, and President Torrijos all are aware of PNP sexual abuse and commercial exploitation of minors in the Darien. Culiolis and other Darien contacts said that the Attorney General, Minister Calderon, and the First Lady have taken a special interest in addressing the issue. Darien contacts are hopeful that officials will take a hard line on the issue of PNP abuse in the Darien, but are aware that negative publicity about PNP abuse in the Darien could Torrijos politically. (Note: The media and Torrijos opponents could raise the specter of national guard abuses during the military dictatorship of Torrijos's father).

PREVENTION AND PROTECTION RESPONSE

19. (C) In November, shortly after these cases became known to the Torrijos administration, MINJUMFA conducted an awareness seminar in Darien province with GOP officials, including the PNP, that addressed the issue of commercial sexual exploitation of minors. MINJUMFA continues to provide protection, shelter, social workers, legal assistance, and other services to the victims. Nonetheless, victims, their families, and the Darien prosecutor have received threats of physical harm. With almost no PTJ presence in the Darien and few places to shelter victims, the GOP struggles to protect victims and their families, unable to count on the Darien PNP.

COMMENT

10. (C) In a great step forward for anti-TIP efforts, the GOP succeeded in uncovering and prosecuting TIP-related corruption among the PNP in the Darien. The GOP so far has refrained from a highly public crackdown in the province, apparently amid political concerns and the reality that the GOP's practically exclusive representative in the Darien is the PNP, which has de facto control of the province. Nonetheless, the investigations themselves and the attention the GOP has brought to the issue of commercial sexual exploitation in the Darien are a milestone for anti-TIP efforts in Panama and demonstrate the momentum created by the March 2004 anti-TIP law.

WATT

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